SENATE BILL No. 221

DIGEST OF INTRODUCED BILL

Citations Affected: IC 24-7-8-6.

Synopsis: Rental purchase agreements. Allows a lessor to conduct other business at the location that the lessor enters into rental purchase agreements. Establishes requirements for certain other businesses the lessor conducts at the location.

Effective: July 1, 2014.

Holdman

January 9, 2014, read first time and referred to Committee on Financial Institutions.

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 221

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

Be it enacted by the General Assembly of the State of Indiana:

1   SECTION 1. IC 24-7-8-6 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2014]: **Sec. 6. (a) Subject to subsection (b), a lessor required to**
4 **file notification and pay fees under this chapter may conduct other**
5 **business, including offering for sale to members of the general**
6 **public:**
7   **(1) property and services that were or may be the subject of**
8   **a rental purchase agreement under this article; and**
9   **(2) property or services that are unrelated or indirectly**
10   **related to the lessor's rental purchase agreement business;**
11 **at the location where the lessor enters into rental purchase**
12 **agreements with lessees unless the lessor carries on other business**
13 **for the purpose of evasion or circumvention of this article.**
14   **(b) A lessor may offer for sale to a lessee or prospective lessees**
15 **property or services at the location where the lessor enters into**
16 **rental purchase agreements as provided under subsection (a) only**

1   **if all the following conditions are met:**

2   **(1) A lessor:**

3   **(A) does not require that the lessee or prospective lessee**

4   **purchase property or services as a condition to enter into**

5   **a rental purchase agreement; and**

6   **(B) clearly discloses in writing to the lessee or prospective**

7   **lessee before the purchase is completed that the purchase**

8   **of the property or services is not a condition for entering**

9   **into a rental purchase agreement.**

10   **(2) The lessor does not charge the lessee or prospective lessee**

11   **more for the property or services than the lessor charges**

12   **members of the general public for the property or services.**

13   **(3) The transaction for the purchase of the property or**

14   **services is conducted separately from any rental purchase**

15   **agreement, and the cost for purchasing the property or**

16   **services is not made a part of any rental purchase agreement.**

17   **(c) If a lessor offers for sale the property or services described**

18   **in subsection (a)(1) and (a)(2) to lessees or prospective lessees in**

19   **compliance with the conditions set forth in subsection (b)(2), the**

20   **business is not considered as being conducted for the purpose of**

21   **evasion or circumvention of this article.**

22   **(d) This section does not relieve a lessor from:**

23   **(1) obtaining licenses, permits, authorizations, or consents**

24   **required by law;**

25   **(2) filing or providing notifications as required by law; or**

26   **(3) otherwise complying with any other statute, rule,**

27   **regulation, or ordinance of this state or the United States**

28   **applicable to a lessor or the lessor's business activities**

29   **permitted by this section.**